

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
February 23, 2022

IN ATTENDANCE: Chairman Matthew Sush
Michael Hoyt Kristin Boyd, Alternate
Kathleen Lara Paula Elaine Kay, Attorney
Arthur Knapp Heather Zangla, Secretary
Jim Carnell, Building, Planning, Zoning Matthew Sickler, Consulting Engineer
Helen Budrock, Sr. Planner, Delaware Engineering

DISCUSSION ITEMS:

RNR – PITTALUGA ROAD

Pittaluga Road, Monticello, NY
Glenn Smith, Project Engineer
John Capello

Glenn Smith – gave a brief over view of the project. The owner was looking to do basements under units in phase 2. There was to be no basements under any units, the owner spoke to the engineer and they came up with a plan to extend the basements. The board didn't want to have the basements under any future homes. The sewer plant is able to be expanded to support the additional bedrooms in the basements.

John Capello – I don't have much to add, we acknowledge it will be a modification to the plan. We just wanted to propose the plan again to the board.

Kathleen Lara - the board already stated we didn't want finished basements. Why didn't they change the plan and make them single family units instead of mobile homes? This house will be a 2 story dwelling by the time it is completed. Michael Hoyt – I agree that it is a mobile home park, what is the ownership? John Cappello – it will be a condo ownership. The class is a mobile home park but the ownership is a condo. Michael Hoyt – isn't the ownership transferred after they are in? John Cappello – They are going to go, they will do the first phase will be different then Phase two. There will be an overall HOA. Michael Hoyt – but they are going to sell to the members? You are asking us for a mobile home park. It is converted to a condo status after the homes are in. John Cappello – Phase 1 is under construction, Phase 2 will be different.

Paula kay – What Michael is saying is that the builder will own everything and sell them after completion. The units that have already begun construction are being considered in having basements? Glenn Smith – no there are no basements proposed in Phase 1, only Phase 2.

Glenn Smith – approx. 75% of the units are already installed in Phase 1. Not occupied yet, they need still need sewer and water.

Chairman Sush – what more needs to be involved with the sewer plant extension. Glenn Smith – it will need a modified site plan and a new permit application will have to be resubmitted to the DEC. We would need more wells at that point also. John Cappello – this isn't really premature, we are looking for some positives so that the other DEC permits and DOH can be started on. Michael Hoyt - It's a trailer park. That's not what this setting is for. Its slab on grade and now you want foundations under units. It's not what the original plan was designed as. Kathleen Lara – I think this is two different projects. Michael Hoyt - I am ok with the homes on the slab, it's a whole next step for the units to be on a foundation. Jim Carnell – moving forward when it does get converted into condominium status, the offering is filed, there should be some discussions on what can be added onto.

John Cappello – Let us take this information back to the client and get more clarity on the marketing plan and what these would look like with basements. Michael Hoyt – I think if there are going to basements, you are looking at more than a trailer park. The code for this is quite specific. Paula Kay – I feel that you are clearly making two different projects. Phase 1 a mobile home park and Phase 2, essentially a housing project.

AVON PARK – ROCK HILL TOWNCENTER

Rock Hill Drive, Rock Hill, NY
Glenn Smith, Project Engineer
George Duke

Paula Kay is recused, however Larry is unavailable I will be here for procedural instruction.

Helen Budrock – did send a recap of this morning's work session. This morning we did have a work session with the applicant. Some planning board members were in attendance. Larry and I did a summary of where we were with the process. There are several outstanding issues. The applicant provided written responses to all the public hearing comments and the 239 review from the county as well. The applicant will give you an update on some of the changes that they have made to the site plan based on some of the public comments like emergency services. We will then discuss process and timing and where to go from here.

CHA has sent it traffic comments dated 2/18/2022, which are attached. Carlito Holt from DTS Provident Design Engineering LLP, verbally responded to the comments. The technical document will be submitted sometime this week for sign off. Helen Budrock – when the technical comments are submitted she asked that they also be sent out to DOT.

Carlito Holt – commented on an area near the CITGO gas station. The owner is reviewing the request. Discussion also took place with CHA regarding Dutch's access. Those notes will be made in the technical comments. Everything that we presented is conceptual but it is typical procedure in a site plan approval process. As a condition of approval we will have to ensure that we implement those improvements and

at that point we would go out and get a formal survey and do a formal design, but we are confident that it can all be implemented.

Helen Budrock – I have a note that you will actually update the design plan, not just a note to show conceptually where that entrance would be subject to further design.

Michael Hoyt – the CITGO concerns me a little bit, the truck island that is the exit. There isn't really any room for them to be turning around to exit the property. Carlito Holt – the latest analysts indicates that approaches a level of services. That was completed in June of last year.

Helen Budrock – the only other thing is reaching out to the highway department.

Chairman Sush – is there only a traffic light at the Glen Wild corner or Katrina Falls Road? Both corners will have one.

Helen Budrock – so the next step is to complete the revisions of the traffic study and getting it forwarded to CHA and DOT.

George Duke – discussion of noise took place in the work session this morning. Greg Liberman – we had a call with WSDG. The consensus was there was one receptor that was close to the threshold of the DEC and the question was what can be done about it. We described that the model that was prepared was a conservative model and it didn't take into consideration the forest cover and certain buffers and when taken into account the decibels increase at that location dropped by about 2. We will run another model to demonstrate the drop. The second comment that was raised looked at how the mobile sources, which in this case are trucks versus stationary sources were modeled and how the distribution was modeled, an endless scenario that could be modeled. This model now includes 11 trucks at full throttle across the site. We talked about the incidents that triggered the increase which was at 2 in the morning. What is the likelihood of that number of trucks being there at that point? Additional distribution will be submitted.

Helen Budrock – a note be added to the site plan that the buffer wouldn't be disturbed during construction. George Duke – we haven't committed to that because there was discussion of an actual noise buffer being installed.

Chairman Sush – the access to the site is a steep hill. How does that affect the noise going in or braking on the way out? Greg Liberman – it was accounted for, I could get that information for you. It was not an issue that came up. The sound study needs to be updated.

Helen Budrock – site planning and engineering comments are next. George Duke – we had a preview of the comments but didn't get a chance to actually respond to them right away. The substance we were aware of, a response will be prepared and submitted soon.

Matt Sickler – the storm water comments are technical in nature and the comments or questions on the modeling and some specific details I don't really think will change what is proposed. Helen Budrock – the well test data was supplied by Glenn Smith.

Helen Budrock – I think emergency access we covered and you will share your updated plans and reach out to the fire department.

Helen Budrock – We discussed the 239 comments which was the segmentation issue under SEQRA and the applicants plan for that graded area once it is completed. George Duke – different parts of the project will be treated as individual components of the project for the purpose of trying to circumvent and comprehend review under SEQRA review. The county referred to what we think was another building on the original site plan. Our tech comments are clear at this point and the county should be satisfied with our response. Helen Budrock – once that area is cleared for the cut walking trails and other amenities will be discussed. George Duke – where the 3rd building was originally located will be graded.

Helen Budrock – are there any other questions at this time from the Planning Board? No further comments.

Helen Budrock – the next step is for the board to make a determination of significance when you feel that all the areas of impact have been addressed you will either make a NEGDEC or a POSDEC. The applicant has some timing issues that they would like the board to act on the determination sooner than later. George Duke – we have been revising this project for over a year now and we are anxious to get moving tenants in and start developing the site. One big issue is resolving SEQRA determination and whatever the board chooses positive or negative. We think we have provided all the information and will button up the tech comments. We need to resolve the ZBA issue for the building height. We need to start expanding the sewer district. There is a time constraint on clearing the land. The board has allowed for clearing under certain terms, escrow or bond. Helen Budrock – the board set precedents before with BBIS, allowing them to start clearing and leave the stumps. Jim Carnell – again it was a timing issue and the project had gotten through NEGDEC and SEQRA and the board gave the go ahead for clearing. It didn't go well. The DEC got involved.

Helen Budrock – so where we stand is George in an ideal situation what are you requesting? George Duke – ideally a special meeting maybe required possibly the first week of March if we could.

Kathleen Lara – do you think the DOT and the county is capable of giving you responses in a week? George Duke – the county basically deferred to the DOT. The county comments were satisfied but the DOT may not.

George Duke – March 9, 2022 will be fine for a possible action for determination. The board doesn't need to take action but the rights would be there.

Michael Hoyt – we touched briefly on the subject of special meetings. Maybe we need to get to that point. Especially with large projects, it's not fair to make other wait.

ARVIN WARF

Heiden Road

Arvin Warf, Property owner

Paula Kay – Mr. Warf is here because he has been in court and needs site plan approval. The court is looking for an update.

Paula Kay – asked Mr. Warf if Tim Gottlieb was representing him at this time. Mr. Warf – I only had him fill out the application and that was it.

Mr. Warf – is unclear why he needed to appear in front of the Planning Board. He stated that he spent over 20 grand on this court case. Mr. Warf stated that he had been there for 51 years. Paula Kay – you are operating your business on this property. Paula Kay – the board asked you to clean up the property and then come back to a meeting and Mr. Warf never did.

The board explained to him that he needed an updated site plan and to clean up his property. The pool onsite needs to be secured also.

Matt Sickler will get in touch with Tim Gottlieb to discuss what the board wants to see on the site plan.

This project is to be put on the March 9, 2022 agenda item for a status update.

STEVE MOSS – STEVE MOSS CONCESSION

Rock Hill Drive, Rock Hill, NY

Steve Moss, Property Owner

Bill Satler, Project Representative

Bill Satler – very brief, short introduction. The previous site plan had some errors and omissions. One tenant used up 3 store fronts for the liquor store. Now Mr. Moss would like to go back to the original building. He has a stop work order. A walk in cooler, interior renovations of the beauty parlor. Nothing was really re-built, but painted. Mr. Satler has a list from the building department of what was needed. We would like to have the site plan updated.

Matt Sickler – I have not had a chance to go to the site or review any information.

Kathleen Lara – I think the town engineer and the building department should get together and put all the issues on paper and have them come back for an action item.

Michael Hoyt – so what are we doing here? Bill Satler – it was 3 stores and the liquor store took over all store fronts now Mr. Moss wants to go back to the original store fronts. Michael Hoyt – so each store

has a bathroom? Bill Satler – all the stores have a bathroom. The liquor store needed wall space so they put plywood up over the doors of the bathrooms and put shelving up. Michael Hoyt – what entrance was the building department talking about? Bill Satler – on the original site map it didn't show and entry and walkway. Bill Satler – showed the board what was being discussed.

Helen Budrock – asked if the site of the diner had plans to rebuild in the future. Bill Satler - Mr. Moss would like to leave his options open at this time. Helen Budrock – thinking ahead, there will be conceptual plans to upgrade the parking area for the Avon Park project. Plans should be thought about to have the diner location a parking area.

Kathleen Lara – we just need to get this site into compliance.

An onsite meeting with Matt Sickler and the building department will be scheduled.

KRASNA

203 Anawana Lake Road, Monticello
Joel Kohn, Project Representative

Joel Kohn – this is an existing school and they are looking to demolish and reconstruct a new dining room, add a pavilion and parking across the street. A foot bridge across the county road is being discussed.

Matt Sickler – the location of the new dining room it looks like you are cutting off access to the back units. Maybe just clarify how the road is going to continue. I see unit 31 is moving but to get back to the pavilion looks to be cut off.

Helen Budrock – from a SEQRA point of view you need DOH approval and a SWPP. It is unlisted action.

This project is to be on March 9, 2022 for an action item for 239 and Notice of Lead Intent.

This is a permitted use, so a public hearing isn't required. Paula Kay – suggests waiting on scheduling a public hearing.

SUNNY FOREST

Old Liberty Road, Monticello
Isreal Miller, Property representative

No one was available for this project. It will go back to court immediately

ACTION ITEMS:

KHAIM ROZHIK

349 Cold Spring Road

The pool has been secured.

Failure to notice was made, this public hearing was rescheduled for March 23, 2022.

A motion to schedule the public hearing for March 23, 2022 was made by Arthur Knapp and seconded by Kathleen Lara.

5 in favor; 0 opposed

HAMASPIK

Charlie Bazydlo, Attorney for the project

Steven Barshov, Attorney

Ken Elsworth - Engineer

Paula Kay – before we hear from the applicant, I want to give the board a little over view. I have had some discussions with the applicant since the last meeting and I believe their business plan has changed. The first thing is that needs to be dealt with is the Zoning Board application, since the Planning Board requested an interpretation of the use of a hotel. Charlie Bazydlo – A revised plan has been turned in that basically says the site will be open to the public Monday – Wednesday of the week and that Thursday – Sunday will be for the groups. Paula Kay – for the board’s purposes, last fall you sent a request to the Zoning Board for two interpretations, one was whether the use as described in the business plan was a hotel as described at the public hearing and the proposed use would be a camp. The Zoning Board ruled on that request that the use was a camp and they made a determination of whether or not the use was a hotel and they decided that it was not a hotel. The applicant then returned to the Zoning Board last month for a re-hearing to occur. Now, since that action was taken, the applicant has changed their business plan and the building will be open to the public several days a week.

Helen Budrock – Paula, is the action that is contemplated tonight need to be an official rescinding of the request? Paula Kay – yes that is what needs to happen. The applicant can move forward at this point.

Chairman Sush – what is going to be in the proposed reception building? Joel Kohn – it is a recreational building, it will be a ballroom, mikva, shul and activity room. I will have it relabeled as an activity building.

Chairman Sush - in the new operational plan, it was mentioned that 69 room hotel is in the existing building but also mentioned was a kosher kitchen with 2 separate sections, where is that? Joel Kohn – it is in the existing kitchen. There was a kitchen there before, we will just separate it. Work was done with building department approval as well as Department of Health.

A motion to rescind the ZBA interpretation for the hotel was made by Kathleen Lara and seconded by Michael Croissant.

5 in favor; 0 opposed

Helen Budrock – so is it the applicants plan to be back on the agenda as a discussion item at the next meeting? Joel Kohn – no, I would like to discuss the changes to the site plan and go over some of the

public comments from the public hearing now. I hope that the board has had time to look at them. There is also the question about the mikva in the basement.

Paula Kay – maybe handle the mikva first, since that is another item on the agenda.

Joel Kohn – at the prior meeting there was a discussion of putting the mikva in the basement of the hotel. The board wasn't able to make a motion since it was only a discussion item. The code is giving the Planning Board the right to determine if it needs site plan approval if there is no change to the exterior of the building. Again, we look at it as an accessory use to the hotel. I feel that the building department will be able to handle that action.

Kathleen Lara – it's the ADA compliance that we are concerned about. Matt Sickler – it is my understanding of the code that it needs to be compliant.

Michael Hoyt – didn't the building department already deny you the permit. Paula Kay – the section of the code that allows the planning board to make a determination based on the work that is being done on the project or that proposed, whether or not site plan approval is required.

Helen Budrock – the decision before you is if you want to kick it back to the building department for approval or does the planning board want to combined it with the overall site plan approval. It is a timing issue.

Matt Sickler – on the site plan there is a proposed mikva, and the recreation building will also have one, will the basement on be used after project is complete? The basement will be used at a minimum.

Michael Hoyt – why are we putting this in the basement? Helen Budrock – is there another alternative?

Michael Hoyt – can you put it in a room? Kathleen Lara – I feel the same way, why put it in the basement. It is near the swimming pool and the gym. It is just more convenient to have it there. Paula Kay – I don't feel that everything that is being talked about right now is the issue. What the board needs to focus on is whether or not this improvement can be built without planning board approval or if it just requires the building department.

Paula Kay went over code §250-50.

Steven Barshov – didn't this matter come with a specific section and that the board has some discretion. I think from our perspective, the ADA compliance will be determined by the building department. Paula Kay – there is a current application for site plan approval in front of the board, but because there is an open application, that this request should be part of the open application. Steven Barshov – with the new operating plan in affect to try and address any concerns that have been raised.

Michael Hoyt – so if this goes back to the building department and gets denied, that will push you back further, is that a chance the applicant is willing to take? Steven Barshov – yes we are. Joel Kohn – if the building department denies it, it will not be coming back in front of the planning Board. We will have to appeal it with the state or try and get it to code.

Chairman Sush – if they didn't have an open application, we wouldn't have been made aware of their intent for the mikva. Kathleen Lara – that is correct.

A motion that site plan approval under §250-50 for the mikva is not required and this project will go back to the building department for review was made by Michael Hoyt and seconded by Kathleen Lara. 5 in favor; 0 opposed

Joel Kohn – there was a couple of changes to the site plan. The board and the public didn't care for the 3 mobile homes that were proposed. The applicant has changed that to be 2 duplexes. This takes away the staff housing all together. There will be separated staff housing. The pool has been relocated as well as the playground area. Parking spaces have been increased. A traffic report has been submitted.

Joel Kohn – showed a rendering for the playground equipment which is also ADA compliant.

Chairman Sush – what is the separation of the playground to the parking lot? Joel Kohn – there is side road proposed between the parking and playground. A crosswalk will be put in. Matt Sickler – is the site pedestrian friendly? Maybe some more sidewalks can be installed. Joel Kohn – showed that the lots in the back most likely won't be used, only in the case of a large event.

Joel Kohn – we will submit a grading plan, a larger detailed plan in the future.

Michael Hoyt – with your new pools, please be mindful of the neighbors which will be higher up then the pools. There is a slight view, you can look down into the area.

Helen Budrock – keep in mind for your parking, the town adopted a new code reducing the amount needed. Kathleen Lara – the parking on the road has always been an issue. I don't think people realize that there is parking in the back. Joel Kohn – when there are larger events, the staff will direct traffic.

Helen Budrock – typically the code says the board needs to render a decision within 45 days, the clock stopped because the issue came up during the public hearing. Both the hotel and the camp are special use permits subject to the issuance of the special use permit. Paula Kay – the applicant has been gracious enough to allow the board extra time, now that we are moving forward, the board should be given time to review the project in full. I would request that timing starts from today. The issues with the uses only were resolved today. Charlie Bazydlo – we are more than willing to give the extension it is just a matter of leaving it open. Paula Kay – we should keep it open.

Joel Kohn – we would like to try for the agenda on March 23, 2022. If we aren't going to be ready, then we will pull ourselves off.

Matt Sickler – Will you be working on an updated site plan with more detail that you would intend on submitting for review? Ken Elsworth – we have not gone forward on the plans as of today, but as of tomorrow, we will be moving forward.

ICHED ANASH

Joel Kohn, Project representative

Helen Budrock – does the board feel a public hearing is necessary? Arthur Knapp – is there a change in use? No.

A motion to refer for 239 review was made by Michael Croissant and seconded by Arthur Knapp
5 in favor; 0 opposed

BBIS

Not on the agenda

ALDIS

Luke Mauro, SOLI Engineer

Chairman Sush has recused himself from the project. Kristin Boyd is a voting member.

Luke Mauro – we had a public hearing and there was no comments. So nothing there to address.

One of the questions that the board asked was that we could revise the elevation to show the stone look along the bottom of the façade. The applicant has committed to that request.

Luke Mauro - since we have been in front of the board for the majority of the traffic is coming from Anawana Lake Road if it was possible to basically mirror the truck well so that the first thing that the customers sees when they are driving eastbound is not the inside of the truck well. Parking has remained the same, but presenting the truck well. A small 16' truck road is being proposed. The traffic patterns will not be affected.

Paula Kay – these are minor changes and no additional public hearing is needed.

A motion to declare lead agency was made by Kathleen Lara and seconded by Arthur Knapp.
5 in favor; 0 opposed

Helen Budrock – are you looking to get back on the agenda of March 23, 2022 for a conditional approval.
Luke Mauro – I feel that we will be ready for that.

Chairman Sush – last meeting we were talking about procedural stuff. Kathleen Lara – I think that a special meeting for that should be set up.

A motion to adjourn the meeting was made by Michael Croissant and seconded by Kathleen Lara.

Respectfully submitted,

Heather Zangla
Secretary
Town of Thompson Planning Board